

### REMARKS

*Claims 47-71 are pending in the case. The Applicants have amended claims 47 and 58 to particularly point out and distinctly claim the subject matter that the Applicants regard as their invention. Support for the present amendments is found throughout the specification and claims, as originally filed and specifically on page 9 of the present specification. No new matter has been added and no additional claims fees are believed to be due. The Applicants strongly believe that the present Amendments, when considered in light of the below Remarks, have placed the present application in condition for allowance. Accordingly, the Applicants respectfully request timely and favorable action.*

#### Rejection under 35 USC § 103(a) over Baeck in view of Aaslyng

The Examiner has rejected claims 47-71 under 35 USC § 103(a) as allegedly obvious over US Patent No. 5,697,630 to Baeck et al. (hereinafter "Baeck") in view of US Patent No. 6,197,567 to Aaslyng et al. (hereinafter "Aaslyng"). The Examiner's rejection is respectfully traversed.

The Examiner has attempted to modify the disclosure of Baeck with that of Aaslyng, which purportedly discloses protease variants that include different amino acid sequences relative to their parent proteases among the amino acid residues at one or more of the following positions: 1-4, 14-18, 20, 27, 40-41, 43-46, 51-52, 60-62, 75-59, 91, 94, 97, 100, 105-106, 108, 112-113, 117-118, 129-130, 133-134, 136, 137, 141, 143-146, 165, 173, 181, 183-185, 191-192, 206, 209-212, 216, 239-240, 242-245, 247-249, 251-253, 255-257, 259, 263, 269 and 271-272 and at least one further mutation at an amino acid residue occupying one of the following positions: 11-4, 6, 9-12, 14-15, 17-22, 24-25, 27, 36-38, 40-41, 43-46, 49, 50-62, 75-79, 87-89, 91, 94, 97-101, 103-109, 112-113, 115-118, 120, 126, 128-131, 133-134, 136-137, 140-141, 143-146, 155-156, 158-167, 170-173, 181-186, 188-189, 191-192, 194-195, 197, 204, 206, 209, 210-218, 235-245, 247-249, 251-257, 259-263, 265, 269, 271-272 and 275. The Examiner has taken the position that a person of ordinary skill in the art would be motivated to modify the Baeck by using protease variants disclosed therein with the substitutions taught by Aaslyng to make the claimed cleaning compositions. The Applicants previously argued that the Examiner has failed to establish a *prima facie* case of obviousness under 35 USC §103(a) over any of the applied references. It remains the Applicants' position that there exists no motivation to combine the disclosure of Baeck with that of Aaslyng as Aaslyng only sets forth a limited number of specific embodiments, none of which teach or suggest the claimed invention. Nevertheless, the Applicants have amended the present claims only to expedite allowance of the present application and avoid intervention of the Board.

The Applicants wish to direct the Examiner's attention to the "Amendments" section of the instant paper, in which the Applicants have amended claim 47, to particularly point out and distinctly claim the subject matter that the Applicants regard as their invention. Support for the present amendments is found throughout the specification and claims as originally filed and specifically on page 9 of the present specification. In light of the present

amendments, the Applicants respectfully submit and strongly urge that Back in view of Aasyling fail to teach or suggest each and ev ry limitation of the present claims. Sp cifically, the attempted combination falls to teach or suggest a fabric, dishwashing, and/or hard surface cleaning composition comprising a protease variant having one or more substitutions of amino acid residues corresponding to the positions now recited by amended claim 47. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection to Claims 47-71 under 35 USC § 103(a).

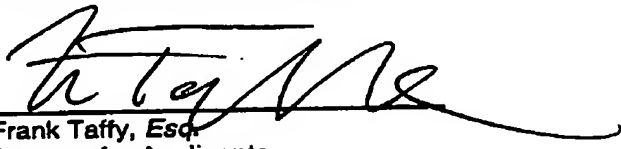
CONCLUSION

Applicants have made an earnest effort to place the present claims in condition for allowance. WHEREFORE, entry of the amendments provided herewith, reconsideration of the claims as amended in light of the Remarks provided, withdrawal of the claims rejections, and allowance of Claims 47-71, as amended, are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

CHANCHAL KUMAR GHOSH, et al.

By

  
Frank Taffy, Esq.  
Attorney for Applicants  
Registration No. 52,270  
(513) 834-9315

Customer Number 27752

22 September 2003  
Cincinnati, Ohio  
7280C2&-OAI.doc